

SENATOR CHAMBERS: Okay. Now, if you turn to page 3 and go to the top of the page, may...question six. May a state request a waiver of the requirements of the Gun-Free Schools Act? Answer, yes. The ESEA authorizes the secretary to waive the requirements of the GFSA, if that action will increase the quality of instruction for students or will improve the academic performance of students. However, it is not anticipated that the requirements of the GFSA will be waived except in unusual circumstances. All of this language, if we take it at its strongest meaning, makes it clear that a waiver is available, doesn't it?

SENATOR BOHLKE: One has been granted.

SENATOR CHAMBERS: And it can be based on this proposition, if that action will increase the quality of instruction for the students or will improve the academic performance of students. Do you think that this money, which we're talking about being withheld, that this money, if granted, will increase the quality of instruction for the students or will improve the academic performance of students? Will the money do that?

SENATOR BOHLKE: The money would do that.

SENATOR CHAMBERS: Well, that's the basis for the waiver.

SENATOR BOHLKE: Except only in unusual circumstances.

SENATOR CHAMBERS: It does...now that's a separate sentence. It says, however, it is not anticipated that the requirements of the GFSA will be waived, except in unusual circumstances. That's irrelevant, they have given the basis for the waiver.

SENATOR BOHLKE: I don't find that sentence irrelevant.

SENATOR CHAMBERS: Where do you see a sentence in here that says, under any and all circumstances, if this that we have before us is not adopted, these funds will be withheld? Where does it say that categorically?

SENATOR BOHLKE: I have never stated that it says that. I have always said that this is from everything we've been able to learn what will happen. I've always said it is, you know, it is not before you. I just said I think the sentence that says, however, it is not anticipated that the requirements of the GFSA